

1 BILL NO. Z-86-01-24

2 ZONING MAP ORDINANCE NO. Z-Sept

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. N-23.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
7 OF FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is
9 hereby designated a B-3-B (General Business) District under
10 the terms of Chapter 33 of the Code of the City of Fort
11 Wayne, Indiana of 1974:

12 Lots 1 and 2 Southside Suburban Place Addition
13 and the symbols of the City of Fort Wayne Zoning Map No.
14 N-23, as established by Section 11 of Chapter 33 of the Code
15 of the City of Fort Wayne, Indiana are hereby changed
16 accordingly.

17 SECTION 2. That this Ordinance shall be in full
18 force and effect from and after its passage and approval by
19 the Mayor.

20
21 [Signature]
COUNCILMEMBER

22 APPROVED AS TO FORM AND LEGALITY:

23 [Signature]
24 BRUCE O. BOXBERGER, CITY ATTORNEY

25
26 Fox River Bond
27 25% COTTON
28
29
30
31
32

Read the first time in full and on motion by Eustach
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the Ci
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Way
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M., E

DATE: 1-28-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eustach
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>9</u>	_____	_____	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GiaQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>HENRY</u>	_____	<u>✓</u>	_____	_____	_____
<u>REDD</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 2-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____
on the _____ day of _____, 19____,

ATTEST:

(SEAL)

Sandra E. Kennedy, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the _____ day of _____, 19____
at the hour of _____ o'clock _____ M., E.S.T.

Sandra E. Kennedy, CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

THIS IS TO BE FILED IN DUPLICATE

INTENDED USE B-3-B

I/We John L. Myers

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B-1-B District to a/an B-3-B District the property described as follows:

Lots 1 & 2 Southside Suburban Place

Recorded as instrument #82-18411

Frontage on Decatur Road: 202.5 Ft.

Frontage on Paulding Road: 401.3 Ft.

181.1 Ft. on east end, 307.0 Ft. on South side

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 5803 Decatur Road, Fort Wayne, Indiana

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

John L. Myers

1503 E. Paulding Road. 46816

X

John L. Myers

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

John L. Myers

1503 E. Paulding Rd. 46816

744-0995

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

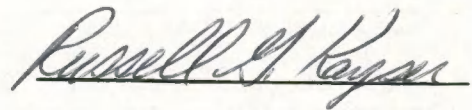
Legal Description of property to be rezoned.

Lots 1 & 2 Southside Suburban Place, recorded as instrument #82-18411

Owners of Property

Russell G. Kayser,etal

5803 Decatur Road,46816



(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 28, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-01-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 27, 1986.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

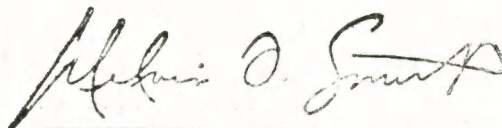
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 3, 1986.

Certified and signed this
5th day of February 1986.



Melvin O. Smith
Secretary

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 522

FT. WAYNE, IND., 12/16 1985

RECEIVED FROM John L. Myers \$50.00

THE SUM OF 50.00/100 DOLLARS

ON ACCOUNT OF Rezoning: Lots 1+2
Southside sub. Add.

B. Steele

AUTHORIZED SIGNATURE

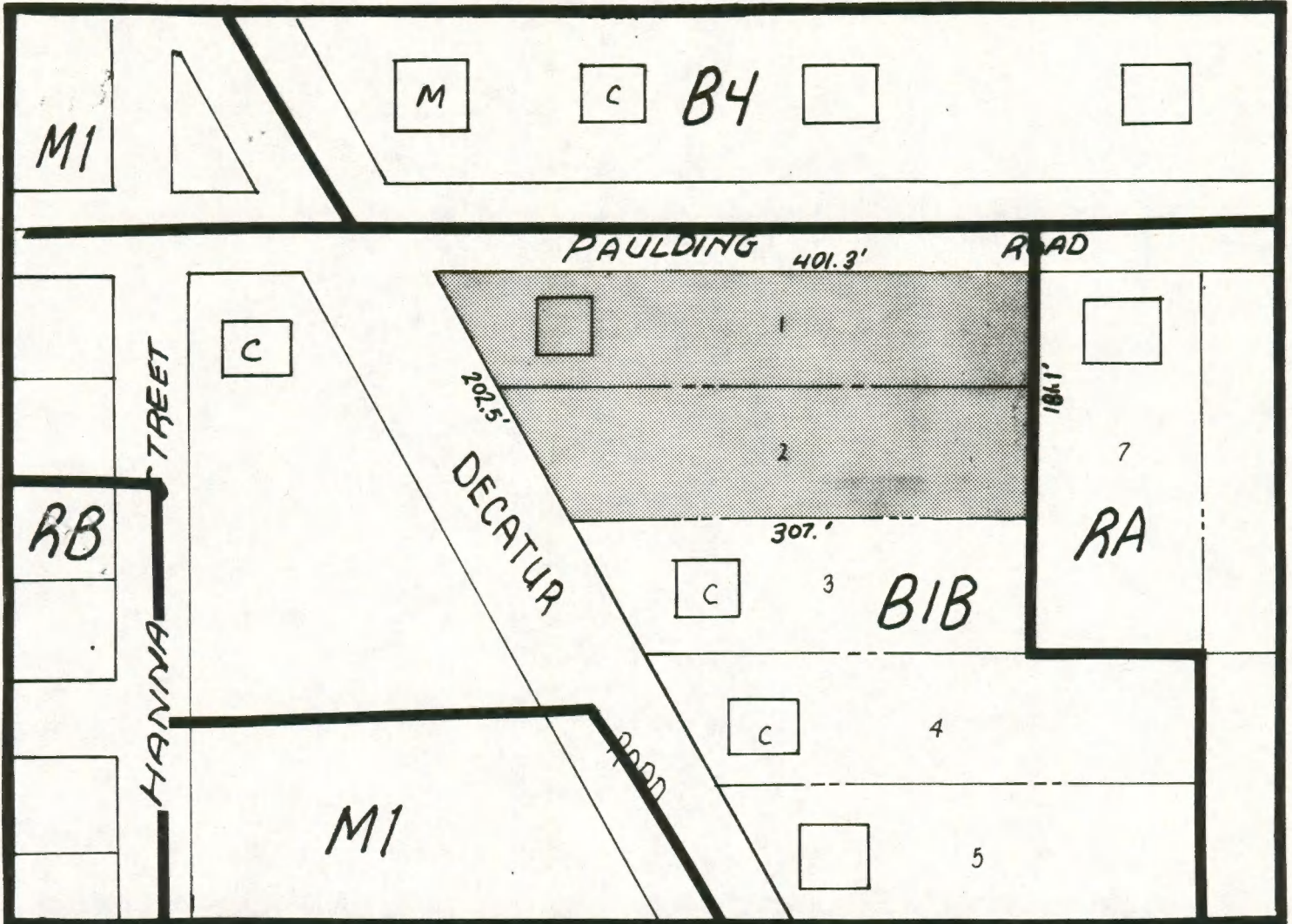
REZONING PETITION

#177

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A BIB DISTRICT TO A B3B DISTRICT.

MAP NO. M-23

COUNCILMANIC DISTRICT NO. 6



Zoning:

BIB LIMITED BUSINESS 'B'
B4 ROADSIDE BUSINESS
RB RESIDENCE 'B'
RA RESIDENCE 'A'
M1 LIGHT INDUSTRY

Land Use:

- ☐ SINGLE FAMILY
- ☒ MULTI-FAMILY
- ☒ COMMERCIAL

Z-86-01-24

Scale: 1"=100'



Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

5803 Decatur Road

Reason for Project

Mobile Home Sales Lot

Discussion (Including relationship to other Council actions)

27 January 1986 - Public Hearing

John Myers, 1503 E. Paulding Road, petitioner stated that he was requesting the rezoning in order to put a Mobile Home Sales Lots on the property.

Mel Smith questioned what was presently on the property.

Mr. Myers stated there was at one time a beauty salon, but the property was presently vacant.

Russ Kaiser, owner of the property appeared before the Commission. Mr. Kaiser stated he was in favor of the rezoning.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

John L. Myers

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation☐ For☒ Against

Reason Against

1) adverse impact in area

Board or
Commission
Recommendation

By

☐ For☒ Against☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL
ACTIONS(For Council
use only)☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

3 February 1986 - Business Meeting

Of the eight members present 7 voted in favor of returning the ordinance to the Common Council with a DO NOT PASS recommendation, one did not vote. Motion carried.

POLICY/ PROGRAM IMPACT

**Policy or
Program
Change**

☐

No

☐

Yes

**Operational
Impact
Assessment**

(This space for further discussion)

Project Start

Date December 16, 1986

Projected Completion or Occupancy

Date 5 February 1986

Fact Sheet Prepared by

Date 5 February 1986

Patricia Biancaniello

Reviewed by

Date

2/5/86

Lucy Banton

Reference or Case Number

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. 6

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P 3-8601-24

SYNOPSIS OF ORDINANCE 5803 Decatur Road

EFFECT OF PASSAGE Property is now zoned B-1-B - Limited Business. Property
will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain B-1-B - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-86-01-24

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of

Fort Wayne Zoning Map No. N-23

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG

LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)

Do Not Pass

YES

NO

BEN A. EISBART
CHAIRMAN

Janet G. Bradbury
JANET G. BRADBURY
VICE CHAIRWOMAN

Donald J. Schmidt
DONALD J. SCHMIDT

Thomas C. Henry
THOMAS C. HENRY

Charles B. Redd
CHARLES B. REDD

CONCURRED IN 2-25-86

SANDRA E. KENNEDY
CITY CLERK